

SUPREME COURT OF NORTH CAROLINA

PETITIONS

5 November 1998

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COMMON ABBREVIATIONS

Abbreviation	Full Term
NOA	Notice of Appeal
Def	Defendant
Plt	Plaintiff
PDR	Petition for Discretionary Review
Cert	Certiorari
AG	Attorney General

32P98	State v. Felton	Def's Pro Se Motion of Appeals of Denials of Orders of August 17 and 25, 1998	Denied
40A98*	State v. William Christopher Goode	(1) AG's Motion to Add to the Record on Appeal (2) AG's Motion to Extend the Time to File the State's Brief Thirty Days After Production of the Motion Transcript (3) AG's Motion for Extension of Time to File State's Brief on 11/19/98	(1) Allowed 10/21/98 (2) Allowed 10/21/98 (3) Dismissed as moot. 10/21/98

174PA98	Bethune, et al. v. County of Harnett, et al.	Plts' Motion to Supplement Record on Appeal	Allowed 10/21/98
187P98	Beth M. Sharp v. Thaddeus Pender Sharp, et al.	(1) Defs' Motion for Temporary Stay (2) Defs' Petition for Writ of Supersedeas	(1) Allowed 5/18/98 (2) Denied and Stay Dissolved. 10/20/98
250P97*	Smith Chapel Baptist Church, et al. v. City of Durham	Plts' Motion to Enlarge Page Limit of Plaintiff-Appellants' New Brief	The limitation in Rule 28(j) of the NC Rules of Appellate Procedure does not apply in the NC Supreme Court; therefore, plaintiffs' motion to enlarge the page limit is dismissed as moot. 10/29/98
250PA97	Smith Chapel Baptist Church, et al. v. City of Durham	(1) N.C. Farm Bureau Federation Inc.'s Motion for Leave to File Amicus Curiae Brief (2) N.C. Farm Bureau Federation Inc.'s Motion to Extend Time for Filing of Such Brief	(1) Allowed (2) Allowed
270A98	Shannon Caudill v. James L. Dellinger, C. Ricky Bowman, in his official capacity as DA of Judicial District 17- B, and The Administrative Office of the Courts	(1) Plt's PDR Under G.S. 7A-31 (2) Def's (Dellinger) NOA Based Upon a Dissent (3) Def's (Dellinger) PDR as to Additional Issues	(1) Denied (2) (3) Allowed

272P98	State v. Rice	Def's PDR Under G.S. 7A-31	Denied
273P98	State v. Sherod Hunter	(1) Def's NOA Based Upon a Constitutional Question (2) Def's PDR Under G.S. 7A-31 (3) AG's Motion to Dismiss Appeal	(1) (2) Denied (3) Allowed
275P98	State v. Vanstory	Def's Pro Se Pet. for Writ of Cert. to Review Order of Superior Court	Denied
276P98	Blackwell, et al. v. City of Reidsville	Resp's (City) PDR Under G.S. 7A- 31	Denied
281P98	Sterr v. Troutman Enterprises of Concord, Inc.	Plt's PDR Under G.S. 7A-31	Denied
286P98	Progressive American Ins. Co. v. Vasquez, Luna, Faison, Lassiter, Johnson, Parker, Loving, Inc., and Aetna Casualty & Surety Co.	(1) Def's (Travelers Casualty & Surety formerly known as Aetna Casualty & Surety Co.) PDR Under G.S. 7A-31 (2) Defs' (Johnson and Parker) Conditional PDR as to Additional Issues (3) Defs' (Faison and Lassiter) Conditional PDR as to Additional Issues	(1) Allowed (2) Allowed (3) Allowed
288P98	Cox v. Cudmore, et al.	Plt's PDR Under G.S. 7A-31	Denied

289P98	Davis, et al. v. Huneycutt, et al.	(1) Defs' PDR Under G.S. 7A-31 (2) Defs' Motion to Correct Typographical Error in PDR	(1) Denied (2) Allowed
290P98	State v. Reid	Def's Pet. for Writ of Cert. to Review Decision of NC COA	Denied
292P98	In the Matter of: The Appeal of Mitsubishi Semiconductor American, Inc., Concerning the Assessment and Appraisal of Certain Personal Property by Durham County	Petitioner's (Durham County) PDR Under G.S. 7A-31	Denied
296P98	State Farm Mutual Auto Ins. Co. v. Fortin	Plt's Pet. for Writ of Cert. to Review Decision of NC COA	Allowed
297P98	Gathings v. Croom	Plt's PDR Under G.S. 7A-31	Denied
299P98	Isbell v. Tower Mills, Inc. and Hartford Accident and Indemnity Company	Plt's PDR Under G.S. 7A-31	Denied
303P98	Barefoot and Property Investors, Inc. v. Financial Services of Raleigh, Inc.	Plts' PDR Under G.S. 7A-31	Denied
305P98	Anita Faye Isenhour, individually and as Administratrix of the Estate of Anthony Darrell Isenhour, Jr. v. Kimberly Ann Hutto, Morrison, et al.	(1) Def's (Morrison and City of Charlotte) PDR Under G.S. 7A-31 (2) Plt's PDR Under G.S. 7A-31	(1) Allowed (2) Allowed
307A98	State of NC ex rel. Commissioner of	NC Rate Bureau's PDR as to Additional Issues	Allowed

	Insurance v. NC Rate Bureau		
308P98	Burns v. Stone	Defs' PDR Under G.S. 7A-31	Denied
313A97*	State v. Hoffman	Def's Motion for Additional Briefing and Argument	Denied 10/13/98
313P98	Cummings v. Burroughs Wellcome Company and Aetna Casualty and Surety Company	Plt's PDR Under G.S. 7A-31	Denied
316P98	State v. Artis	Def's PDR Under G.S. 7A-31	Denied
319P98	State v. Chance	Def's Pet. for Writ of Cert. to Review Decision of NC COA	Denied
320P98	State v. Todd	Def's Pro Se Pet. for Writ of Cert. to Review the Order of NC COA	Denied
323P98	State v. Sartori	Def's Motion to Amend Pet. for Writ of Cert. to Review the Decision of the NC COA	Denied
324P98	State v. Cephus Dickson McNeil	Def's Pro Se Pet. for Writ of Cert. to Review Decision of NC COA	Denied
328P98	State v. King	Def's Pro Se Pet. for Writ of Cert. to Review Decision of NC COA	Denied
332P98	State v. Kenneth Wayne Vaughn	(1) AG's Motion for Temporary Stay (2) AG's Petition for Writ of Supersedeas	(1) Allowed 8/18/98 (2) Allowed (3) Allowed

		(3) AG's PDR Under G.S. 7A-31 Supplemental Memo	
334P98	Macon v. Macon	(1) Plt's PDR Under G.S. 7A-31 (2) Def's Motion for Hearing on Modification of Custody (3) Def's Motion for Custody/ Psychological Evaluation	(1) Denied (2) Dismissed (3) Dismissed
338P98	Hayes, Floyd, et al. v. Town of Fairmont	(1) Def's PDR Under G.S. 7A-31 (2) Plts' PDR as to Additional Issues	(1) Allowed (2) Allowed
344P98	Condellone v. Condellone and Market Master Sales Co., Inc.	Def's (Peter Condellone) PDR Under G.S. 7A-31	Denied
345P98	State v. Robinson	Def's Pro Se Pet. for Writ of Cert. to Review Decision of NC COA	Denied
346P98	State v. Hinson	Def's Pro Se Pet. for Writ of Cert. to Review Decision of NC COA	Denied
347P98	State v. Patton	(1) Def's Pro Se PDR Under G.S. 7A-31 (2) Def's NOA	(1) Denied (2) Dismissed <i>ex mero motu.</i>

348P98	Shell Island Homeowners Association, Inc., et al. v. Tomlinson, et al.	Plts' PDR Prior to Determination by the Court of Appeals	Denied
354A98	Putnam v. Ferguson, et al.	Defs' Motion to Dismiss Appeal	Allowed
358P98	Conley and wife v. Emerald Isle Realty, Inc., Henry Ingram, et al.	(1) Defs' (Emerald Isle) PDR Under G.S. 7A-31 (2) Defs' (Ingrams) PDR Under G.S. 7A-31	(1) Allowed (2) Allowed
359P98	Curry v. Baker, et al	Def's PDR Under G.S. 7A-31	Denied
367A98	State v. McBride	(1) Def's NOA (Const. Question) (2) AG's Motion to Dismiss Appeal	(1) (2) Allowed
368P98	Henry Parish, Jr., as Administrator of the Estate of Louise Lyle Parish v. Clarence Louis Hill, III, et al.	(1) Def-Appellants' PDR Under G.S. 7A-31 (2) AG's Motion for Leave to File Amicus Curiae Brief if PDR is Granted	(1) Allowed (2) Allowed
374P98	State v. Johnson	Def's Petition for Representation of Indigent Defendant (and PDR)	Denied
377P98	Atassi v. Atassi	(1) Def's Motion for Enforcement of Stay Order	(1) Denied (2) Denied

		(2) Def's Motion for Imposition of Sanctions	
380P98	Ganey v. Lafayette Hall, Daniel L. Steineke, Steve D. Muller	(1) Plt's Pro Se NOA Based Upon a Constitutional Question (2) Plt's Pet. for Writ of Cert. to Review Order of the NC COA (3) Plt's Pro Se Motion for Leave to File Petition as a Pauper	(1) Dismissed <i>ex mero motu</i> (2) Denied (3) Allowed
384P98	State v. Hall	Def's Pro Se Pet. for Writ of Cert. to Review Decision of NC COA	Denied
385P98	Inmates of the NC Dep't of Corrections v. N.C. Dep't of Corrections	Plts' Pro Se Petition for Amendment/ Change in Department of Corrections Incentive Wage Statute	Dismissed
386P98*	Croker v. Yadkin, Inc.	Motion to Withdraw as Counsel of Record for Defendant-Appellee Yadkin, Inc. and for Substitution of Counsel	Allowed 10/20/98
388P98	State v. Holman	(1) Def's NOA Based Upon a Constitutional Question	(1) (2) Denied

		(2) Def's PDR Under G.S. 7A-31	
390A98	State v. Harris, Jr.	(1) Def's NOA Based Upon a Constitutional Question (2) AG's Motion to Dismiss Defendant's Notice of Appeal	(1) (2) Allowed
391P98	Jackson, et al. v. A Woman's Choice, Inc., Dr. Clarence J. Washington and William E. Brenner, Jr.	(1) Plts' PDR Under G.S. 7A-31 (2) NC Family Policy Council's Motion for Leave to File an Amicus Curiae Brief in the Event Discretionary Review is Granted	(1) Denied (2) Dismissed as moot.
394P98	Beaver v. City of Salisbury	Plt's PDR Under G.S. 7A-31	Allowed
397P98	Ellison v. Ramos	(1) Def's NOA Based Upon a Constitutional Question (2) Def's PDR Under G.S. 7A-31	(1) Dismissed <i>ex mero motu</i> (2) Denied
398P98	Shaw v. Smith & Jennings, Inc.	Def's PDR Under G.S. 7A-31	Denied
403P98	State v. Roope State v. Cooke State v. Overton, Jr.	Defs' PDR Under G.S. 7A-31	Denied
405P98	State v. Bearden	Def's PDR Under G.S. 7A-31	Denied
409P98	Gbye v. Gbye	Plt-Appellant's PDR Under G.S. 7A-31	Denied

411P98	Thompson v. Waters, d/b/a Waterhouse Realty & Construction and Lee County	Plt's PDR Prior to Determination by the Court of Appeals	Denied
414P98	A'Dolphus M. Martin v. State of NC	Plt's Pet. for Writ of Cert. to Review COA Denial of Habeas Corpus	Dismissed as moot. 10/19/98
419P98	State v. Barbara Marie Geiger	(1) Def-Appellant's NOA (Under ?) (COA Decision is in Conflict with Established Precedent) (2) Def-Appellant's PDR Under G.S. 7A-31 (3) Def-Appellant's Pet. for Writ of Cert. (4) AG's Motion to Dismiss Appeal	(1) (2) Denied (3) Denied (4) Allowed
420P98	State v. Bishop	Def's (Pro Se) Motion to Waive All Rights to Appeal Sentence of Death	Denied
422P98	State v. Owen	(1) Def's NOA Pursuant to G.S. 7A-30(1) (2) Def's PDR Under G.S. 7A-31 (3) AG's Motion to Dismiss Appeal	(1) (2) Denied (3) Allowed
423P98	Chilton v. City of Eden and Stultz	Plt-Appellant's PDR Under G.S. 7A-31	Denied

426P98	NC Department of Correction v. Wells	State's PDR	Denied
430P98	State v. Thaggard	(1) Def's NOA Based Upon a Constitutional Question (2) Def's PDR Under G.S. 7A-31 (3) AG's Motion to Dismiss Appeal	(1) (2) Denied (3) Allowed
433P98	The People of NC ex rel Geoffrey Ernest LaPatra v. Jacob Setzer, et al.	Plt's (Pro Se) Petition for Writ of Habeas Corpus	Dismissed 10/13/98
434P98*	RPR & Associates, Inc. v. UNC-CH and NC Department of Administration	(1) Def's Motion for Temporary Stay (2) Def's Petition for Writ of Supersedeas (3) Def's Petition for Writ of Certiorari to Review the Order of the NC COA Justice WHICHARD recused.	(1) Denied 10/12/98 (2) Denied 10/12/98 (3) Denied 10/12/98
435A96*	State v. Walic Christopher Thomas	AG's Motion to Add to the Record	Allowed 10/20/98
435P98	Vaughan Winborne v. Michael Easley, Colon Willoughby, et al.	(1) Plt's Petition for Writ of Supersedeas (2) Plt's Petition for Writ of Certiorai	(1) Denied 10/14/98 (2) Denied 10/14/98

440P98	State v. Bright	(1) AG's Motion for Temp. Stay (2) AG's Petition for Writ of Supersedeas (3) AG's PDR Under G.S. 7A-31 (4) Def's Conditional PDR as to Additional Issues	(1) Dismissed (2) Allowed (3) Allowed (4) Allowed
463P98*	State v. Pulliam	(1) AG's Motion for Temporary Stay (2) AG's Petition for Writ of Supersedeas (3) AG's PDR Under G.S. 7A-31	(1) Allowed 10/23/98 (2) (3)
70A86-5	State v. Timothy Lanier Allen	Trial Court's Order Deny [sic] Supplemental Motion for Discovery (and Remanding/ Notifying of Jurisdiction in Supreme Court)	See separate order.
91A95-2	State v. Thomas	AG's Motion for Enlargement of Time to File Response	Allowed
124A93-2*	State v. Carl Stephen Moseley	Def's Pet. for Writ of Cert. to Review Order of Superior Court	See separate order.
159A93-3	State v. Basden	(1) Def's Pet. for Writ of Cert. to Review Superior Court Order	(1) See separate order. (2) Denied

		(2) Def's Petition for Writ of Mandamus	
197A94-2	State v. Jeffrey Kandies	Def's Pet. for Writ of Cert. to Review Order of Superior Court	See separate order.
300A93-2	State v. Best	Def's Pet. for Writ of Cert. to Review the Order of Superior Court	Denied
356P98-2	State v. Julian L. Myers	Def's Application for Writ of Habeas Corpus Supplemental Memo	Denied 10/20/98
385A84-5	State v. Green	Def's Pet. for Writ of Cert. to Review Order of Superior Court	See separate order.
385A92-3*	State v. Carl Stephen Moseley	Def's Pet. for Writ of Cert. to Review Order of Superior Court	See separate order.
389A92-2	State v. John Lee Conaway	(1) Def's Pet. for Writ of Cert. to Review Superior Court Order (2) Def's Motion to Hold Consideration of Petition for Certiorari in Abeyance	(1) Denied (2) Dismissed as moot